



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER OF  
PATENTS AND TRADEMARKS  
Washington, D.C. 20231

FMH.4

Paper No. 9

**COPY MAILED**

**APR 23 1998**

**OFFICE OF PETITIONS  
A/C PATENTS**

DANIEL L. DAWES  
5252 KENILWORTH DRIVE  
HUNTINGTON BEACH, CA 92649

In re Application of  
Guido Guglielmi et al  
Application No. 08/647,114  
Filed: May 9, 1996  
Attorney Docket No. M203D-d

:  
:  
:  
:  
:  
:

**ON PETITION**

This is a decision on the petition under 37 CFR 1.137(b), filed January 13, 1998, to revive the above-identified application.

The petition is **GRANTED**.

This application became abandoned for failure to timely reply to the Office action mailed April 21, 1997. A Notice of Abandonment was mailed on November 28, 1997.

This petition was filed under the revival rules in effect as of December 1, 1997. *Note Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131 (October 10, 1997), 1203 Off. Gaz. Patent Office 63 (October 21, 1997).* Therefore, the statement of unintentional delay does not comply with the provisions of 37 CFR 1.137(b)(3) in effect as of December 1, 1997. However, the statement presented will be accepted and construed as meaning that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant 37 CFR 1.137(b) was unintentional." If this is an incorrect interpretation in view of the new rules, petitioner is required to provide a statement to that effect.

This application is being forwarded to Technology Center 3700.

Telephone inquiries concerning this matter may be directed to the undersigned at (703) 305-8680.

Frances Hicks  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Assistant Commissioner  
for Patent Policy and Projects